



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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July 2, 2003

IN REPLY PLEASE
REFER TO FILE:

MP-6
19.041

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

LOS ANGELES RIVER - PARCEL 2293
GRANT OF EASEMENT - CITY OF LONG BEACH
SUPERVISORIAL DISTRICT 4
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this transaction categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Approve the grant of an easement for storm drain purposes from the Los Angeles County Flood Control District to the Los Angeles County Metropolitan Transportation Authority (MTA) in the Los Angeles River, Parcel 2293 (13,309 square feet), for \$6,493. Parcel 2293 is located along the westerly side of the Los Angeles River south of Carson Street, in the City of Long Beach.
3. Instruct the Chair to sign the enclosed Easement document and authorize delivery to the Grantee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the District to grant an easement in the Los Angeles River, Parcel 2293, to the MTA. The easement is located along the westerly side of the Los Angeles River, south of Carson Street, in the City of Long Beach.

The MTA requested the easement for storm drain purposes to convey runoff from their Blue Line Yard. The granting of this easement is not considered adverse to the District's purposes. Moreover, the instrument reserves paramount rights for the District's interest.

Implementation of Strategic Plan Goals

This action is consistent with the Strategic Plan Goal of Fiscal Responsibility. The revenue from this transaction will be used for flood control purposes.

FISCAL IMPACT/FINANCING

The MTA has paid the appraisal value of \$6,493 for the easement. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The granting of this easement will not hinder the use of the channel for possible transportation, utility, or recreational corridors.

The enclosed Easement has been approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

With respect to requirements of the CEQA, this transaction is categorically exempt, as specified in Class 1 (e) and Class 5 (a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15301 and 15305 of the State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

The Honorable Board of Supervisors
July 2, 2003
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CONCLUSION

Enclosed are an original and two duplicates of the Easement. Please have the original and one duplicate signed by the Chair and acknowledged by the Executive Officer of the Board of Supervisors. Please return the executed original and one duplicate to this office, retaining one duplicate for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CB:adg
P6\LA RIVER 2293 BRD

Enc.

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

RECORDING REQUESTED BY
AND MAIL TO:

Los Angeles County
Metropolitan Transportation Authority
One Gateway Plaza, 14th Floor
P.O. Box 194
Los Angeles, CA 90053-0194
Attn: MTA Real Estate

Space Above This Line Reserved for Recorder's Use

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX
PURSUANT TO SECTION 11922 OF THE REVENUE & TAXATION CODE

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT
TO SECTION 27383 OF THE GOVERNMENT CODE

Assessor's Identification Number:
7140-014-939

EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, hereinafter referred to as "District", does hereby grant to the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, a public agency existing under the laws of the State of California, hereinafter referred to as "Grantee", an easement for storm drain purposes in, on, under and across the real property in the City of Long Beach, County of Los Angeles, State of California, described in Exhibit "A" attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions which Grantee, by the acceptance of this Easement document and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. District reserves the paramount right to use said land for flood control purposes.
2. Grantee agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, under and across the land herein-described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by District shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. District does not accept ownership or responsibility for the improvements.
3. Grantee agrees that it will indemnify and save harmless District, its officers, agents and/or employees from any and all liability, loss or damage to which District, its officers, agents and/or employees may be subjected as the result of any act or omission by Grantee, its officers, agents and/or employees arising out of the exercise by Grantee, or its officers, agents or employees of any of the rights granted to it by this instrument.

4. It is expressly understood that District will not be called upon to construct, repair, maintain or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement document.
5. The provisions and conditions contained in this Easement document shall be binding upon Grantee, its successors and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following Grantee's exercise of these easement rights to construct such structures and improvements, Grantee agrees to pay on behalf of District, that part of any such assessment levied against District which is based on the value contributed to that area by Grantee's said improvements.

Dated _____

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
a body corporate and politic

By _____
Chair, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-Seal)

ATTEST:

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

File with: LOS ANGELES RIVER 2293 19-RW 53.1 S.D. 4 M9225007 & M9225008

By _____
Deputy

Note: Acknowledgment form on reverse side.

OG:adg
P:Conf:e L A RIVER 2293

ACKNOWLEDGMENT FORM	
STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)
On _____, before me, _____,	
the undersigned, personally appeared _____	
(insert name and title)	

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.	
WITNESS my hand and official seal.	

Signature	

(Name, Typed or Printed)	(Seal)

ACKNOWLEDGMENT FORM (FOR COUNTY USE ONLY)	
STATE OF CALIFORNIA)) ss. COUNTY OF LOS ANGELES)	
On _____, before me, CONNY B. McCORMACK, Registrar-Recorder/County Clerk of the County of Los Angeles, personally appeared _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.	
WITNESS my hand and official seal.	
CONNY B. McCORMACK, Registrar-Recorder/ County Clerk of the County of Los Angeles	
By _____ Deputy County Clerk	(Seal)
APPROVED as to title and execution, _____, 20_____ DEPARTMENT OF PUBLIC WORKS Mapping & Property Management Division MARTIN J. YOUNG Supervising Title Examiner III By _____	

File with: **LOS ANGELES RIVER 2293**
19-RW 53.1
A.P.N. 7140-014-939(por.)
T.G. 765 (C6)
I.M. 039-217
Fourth District
M9225007 & M9225008

LEGAL DESCRIPTION

(Grant of easement for storm drain purposes)

Part A:

That portion of that certain parcel of land in Lot 5, Block F of the Subdivision of a part of the Rancho San Pedro, known as the Dominguez Colony, as shown on Partition Map filed in Case No. 3284 of the Superior Court of the State of California in and for the County of Los Angeles, a copy of said map is filed as Clerk's Filed Map No. 145 in the office of the Director of the Department of Public Works of said County, described in deed to Los Angeles County Flood Control District, recorded in Book 7069, page 116, of Deeds, in the office of said recorder together with that portion of the south one half of Carson Street(vacated), 66 feet wide, as shown on said first mentioned map, within a strip of land 10 feet wide, lying 6 feet easterly and 4 feet westerly of the following described line:

Beginning at the intersection of a line which bears at right angles from the westerly line of said certain parcel of land described in deed to Los Angeles County Flood Control District and which passes through a point in said westerly line, said point being distant southerly 708.00 feet along said westerly line from the northerly line of said south one-half of Carson Street with a line parallel with and 24.00 feet easterly, measured at right angles, from said westerly line, said intersection hereby designated as Point "A"; thence North 0E 02' 11" East along said parallel line, a distance of 690.55 feet to the beginning of a tangent curve, concave to the southwest and having a radius of 29.26 feet; thence northwesterly along said curve, through a central angle of 89E 57' 29", an arc distance of 45.94 feet.

Containing: 7,094± square feet

Part B:

That portion of above mentioned Lot 5, within the following described boundaries:

Beginning at above designated Point "A"; thence South 89E 57' 49" East, at right angles from above mentioned westerly line, a distance of 6.00 feet; thence South 0E 02' 11" West 18.35 feet to the beginning of a tangent curve, concave to the northeast and having a radius of 40 feet; thence southeasterly along said curve, through a central angle of 50 E27' 39", an arc distance of 35.23 feet; thence tangent to said curve South

50E 25' 28" East 66.91 feet; thence North 89E 56' 31" East 20.75 feet; thence South 67E 35' 24" East 14.63 feet; thence South 0E 04' 49" West 25.98 feet to a point hereby designated as Point "B"; thence North 67E 26' 52" West 17.07 feet; thence South 89E 37' 54" West 16.01 feet; thence North 0E 18' 49" West 10.13 feet to a line parallel with and 10 feet southwesterly, measured at right angles, from above described course having a bearing and length of South 50E 25' 28" East 66.91 feet; thence North 50E 25' 28" West along said last mentioned parallel line, a distance of 78.30 feet to the beginning of a curve concentric with and 10 feet southwesterly, measured radially, from said last mentioned curve having a radius of 40 feet; thence northwesterly along said concentric curve, through a central angle of 50E 27' 39", an arc distance of 44.04 feet to a line parallel with and 10 feet westerly, measured at right angles, from above described course having a bearing and length of South 0E 02' 11" West 18.35 feet; thence North 0E 02' 11" East along said last mentioned parallel line, a distance of 18.35 feet; thence South 89E 57' 49" East 4.00 feet to the point of beginning.

Containing: 2,135± square feet

Part C:

That portion of above mentioned Lot 5, within the following described boundaries:

Commencing at above designated Point "B"; thence South 34E 49' 22" East 68.97 feet to the true point of beginning; thence South 84E 42' 39" East 136.00 feet; thence South 5E 17' 21" West 30.00 feet; thence North 84E 42' 39" West 136.00 feet; thence North 5 E17' 21" East 30.00 feet to the true point of beginning.

Containing: 4,080± square feet

jbm:lar2292&2293
7-1-02

EXHIBIT A